

OFFICIAL GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN AND DIU

Department of Personnel and Administrative Reforms

Notification

1-6-74-Div. I

In exercise of the powers conferred by the proviso to article 309 of the Constitution, read with the Government of India, Ministry of External Affairs letter No. F.7(11)/62-Goa dated 25th July, 1963, the Administrator of Goa, Daman and Diu is pleased to make the following rules relating to recruitment to Group 'D' and Group 'C', non-Ministerial non-gazetted posts in the Directorate of Industries and Mines, Panaji under Government of Goa, Daman and Diu.

1. **Short title.** — These rules may be called Government of Goa, Daman and Diu, Directorate of Industries and Mines, Group 'D' and Group 'C' non-Ministerial non-Gazetted posts Recruitment Rules, 1978.

2. **Application.** — These rules shall apply to the posts specified in column 1 of the Schedule to these rules.

3. **Number, classification and scale of pay.** — The number of posts, classification of the said posts and the scales of pay attached thereto shall be as specified in columns 2 to 4 of the said Schedule

4. **Method of recruitment, age limit and other qualifications.** — The method of recruitment to the said posts, age limit, qualifications and other matters

connected therewith shall be as specified in columns 5 to 13 of the aforesaid Schedule.

Provided that,

- (a) the maximum age limit specified in the Schedule in respect of direct recruitment may be relaxed in the case of candidates belonging to the Scheduled Castes and Scheduled Tribes and other special categories in accordance with the orders issued by the Government from time to time;
 - (b) no male candidate, who has more than one wife living and no female candidate, who has married a person having already a wife living, shall be eligible for appointment, unless the Government, after having been satisfied that there are special grounds for doing so, exempts any such candidate from the operation of this rule;
 - (c) *Saving:* Nothing in these rules shall affect reservations, relaxation of age-limit and other concessions required to be provided for Scheduled Castes and Scheduled Tribes and other special categories of persons in accordance with the orders issued by the Central Government from time to time in this regard.
5. These rules will come into effect from the date of the Notification and will relate to appointments to the various posts made on or after this date.

By order and in the name of the Administrator of Goa, Daman and Diu.

V. J. Menezes, Under Secretary (Personnel).

Panaji, 27th September, 1978.

SCHEDULE

Name of the post	No. of posts	Classification	Scale of Pay	Whether Selection Post or non-Selection Post	Age limit for direct recruits	Educational and other qualifications required for direct recruits	Whether age and educational qualifications prescribed for the direct recruits will apply in the case of promotees	Period of probation, if any	Method of recruitment whether by direct recruitment or by promotion or by deputation/transfer, and percentage of the vacancies to be filled by various methods	In case of recruitment, by promotion/deputation/transfer, grades from which promotion/deputation/transfer is to be made	If a DPC exists, what is its composition	Circumstances in which U. P. S. C. is to be consulted in making recruitment
1	2	3	4	5	6	7	8	9	10	11	12	13
Helpers	Five	Group 'D' Non Ministerial Non Gazetted.	Rs. 196-3-220-EB-3-232.	N. A.	30 years and below (Relaxable for Govt. servants).	<i>Essential:</i> Should be literate.	N. A.	Two years	By direct recruitment.	N. A.	N. A.	N. A.
Store Keeper	One	Group 'C' Non Ministerial Non Gazetted.	Rs. 330-10-380-EB-12-500-EB-15-560.	Selection	— do —	<i>Essential:</i> 1. Intermediate / Higher Secondary / Senior Cambridge or equivalent. 2. About 2 years experience of handling and knowledge of concerned store of the department, including their proper custody and accounting.	— do —	— do —	Promotion failing which, transfer, failing both direct recruitment.	<i>Promotion:</i> Assistant store or Go-down Keeper with 3 years' standing in the grade.	Group 'C' D.P.C.	— do —
Jr. Designer	One	— do —	— do —	N. A.	— do —	<i>Essential:</i> 1. Degree or Diploma in Fine Arts or Applied Arts/or Designing Diploma from any recognised Institutions. <i>Desirable:</i> Artist/Designer of talent and originality.	— do —	— do —	By direct recruitment.	N. A.	N. A.	— do —
Assistant Craftsmen 1. Wood Craft 3 2. Lacquer 1 3. Clay Modelling 1 4. Ceramics 1 5. Pottery 1 6. Bamboo 1 7. Metal-craft 2	Ten	— do —	— do —	— do —	— do —	<i>Essential:</i> 1. Must be an accomplished craftsman in respective field/craft. 2. At least 2 years professional experience in the trade. 3. Knowledge of fabrication limitations and possibility of the craft. <i>Desirable:</i> 1. Ability to understand new design suggestions and discuss their feasibility. 2. Ability to make finished prototype and explain the material and fabrication specifications to other craftsmen.	— do —	— do —	— do —	— do —	— do —	— do —

Master Craftsman - (Wood-carving/ Metal-casting/ Ceramics)	Three	Group 'C' Non Ministerial Non Gazetted.	Rs. 425-15-500-EB-15-560-20-700.	Selection	40 years and below (Relaxable for Govt. servants).	<p>Essential:</p> <ol style="list-style-type: none"> 1. Must be an accomplished craftsman in the respective craft/field. 2. At least 10 years professional experience in the trade. 3. Knowledge of fabrication limitation and possibility of more than 2 crafts. <p>Desirable:</p> <ol style="list-style-type: none"> 1. Ability to understand new design suggestion and discuss their feasibility. 2. Ability to make finished prototype and explain the material and fabrication specifications to other Craftsman. 	Age: No Qls: Yes	— do —	Promotion failing which by direct recruitment and failing both by transfer on deputation.	<p>Promotion:</p> <p>Assistant Craftsmen with 3 years standing in the grade.</p> <p>Transfer on Deputation:</p> <p>Suitable persons from All India Handicrafts Board/State Government/Art Institution possessing the qualification prescribed for direct recruits.</p>	Group 'C' D.P.C.	— do —
Field Attendant	Two	Group 'D' Non Ministerial Non Gazetted.	Rs. 196-3-220-EB-3-232.	N. A.	30 years and below (Relaxable for Govt. servants).	<p>Essential:</p> <ol style="list-style-type: none"> 1. Should be literate. 	N. A.	— do —	Direct recruitment.	N. A.	N. A.	— do —
Assistant Driller	One	Group 'C' Non Ministerial Non Gazetted.	Rs. 260-6-290-EB-6-326-8-366-EB-8-390-10-400.	— do —	— do —	<p>Essential:</p> <ol style="list-style-type: none"> 1. S. S. C. E. or equivalent. 2. At least 2 years experience in core drilling operations. 	— do —	— do —	— do —	— do —	— do —	— do —
Driller	One	— do —	Rs. 330-10-380-EB-12-500-EB-15-560.	Selection	— do —	<p>Essential:</p> <ol style="list-style-type: none"> 1. S. S. C. E. or equivalent. 2. At least 5 years experience in core drilling operations. 	— do —	— do —	Promotion failing which by direct recruitment.	<p>Promotion:</p> <p>Asstt. Driller with at least 3 years standing in the grade.</p>	Group 'C' D.P.C.	— do —
Laboratory Assistant	One	— do —	Rs. 260-6-290-EB-6-326-8-366-EB-8-390-10-400.	N. A.	— do —	<p>Essential:</p> <ol style="list-style-type: none"> 1. S. S. C. E. or equivalent with Science Subject. <p>Desirable:</p> <ol style="list-style-type: none"> 1. About 2 years experience in any analytical laboratory. 	— do —	— do —	Direct recruitment.	N. A.	N. A.	— do —
Skilled Workers (Coir)	Two	Group 'D' Non Ministerial Non Gazetted.	Rs. 210-4-226-EB-4-250-EB-5-290.	N. A.	30 years and below (Relaxable for Govt. servants).	Artisans having good professional knowledge.	— do —	— do —	— do —	— do —	— do —	— do —

Law Department (Legal Advice)

Notification

LD/153/66/78

The following draft of the Rules which are proposed to be made under sub-section (1) of section 71 of the Indian Partnership Act, 1932 (Central Act 9 of 1932), are hereby pre-published as required by sub-section (3) of section 71 of the said Act for information of the persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration by the Government on the expiry of thirty days from the date of publication of this Notification in the Official Gazette.

All objections and suggestions to the said draft may be forwarded to the Secretary to the Government of Goa, Daman and Diu, Law Department, Secretariat, Panaji, before the expiry of thirty days from the date of publication of this Notification in the Official Gazette.

DRAFT

In exercise of the powers conferred by sub-section (1) of Section 71 of the Indian Partnership Act, 1932 (Central Act 9 of 1932) and all other powers enabling him in that behalf, the Lieutenant Governor of Goa, Daman and Diu hereby makes the following rules, namely:—

1. *Short title and commencement.*—(1) These Rules may be called the Goa, Daman and Diu Partnership Rules, 1978.

(2) They shall come into force at once.

2. *Definitions.*—In these Rules, unless there is anything repugnant in the subject or context,—

(a) "Act" means the Indian Partnership Act, 1932 (Central Act 9 of 1932);

(b) "Document" includes statements, intimations and notices prescribed by the Act;

(c) "Firm" means a firm to which the Act applies;

(d) "Form" means a Form appended to these rules;

(e) "Notification" means the Notification published in the Official Gazette;

(f) "Registrar" means a Registrar of Firms appointed under section 57 of the Act.

3. *Filing of documents.*—(1) All applications, documents and statements required to be filed under the Act shall be made to the Registrar within whose jurisdiction the firm is carrying on business and when it is carrying on business within the jurisdiction of more than one Registrar, to the Registrar within whose jurisdiction its principal place of business is situated.

(2) Notice of change of the principal place of business shall be given to the Registrar with whom the firm is registered, even if the new principal place of business is within the jurisdiction of another Registrar. In every such case the first mentioned Registrar shall make an entry to that effect in

Register of firms and the index thereto, and transmit the records to the Registrar within whose jurisdiction the new principal place of business is situated.

4. *Mode of lodging documents.*—Documents may either on payment of the prescribed fee be lodged with the Registrar in person or sent to him by post alongwith the prescribed fee.

5. *Furnishing of English translation of document.*—If any document or portion of a document required to be submitted under the Act is not in the English language, a translation thereof in English certified as correct shall be furnished alongwith such document to the Registrar.

6. *Form and Verification of statements under sections 58 and 60.*—The documents required to be filed with the Registrar under section 58(1) and 60 shall be deemed to be duly verified if they are signed and certified by all the partners or by a specially authorised agent on behalf of a partner declaring the statement made therein to be true to his knowledge and belief in the presence of at least one witness who shall attest the signatures by signing his name, provided that when a document is verified by a specially authorised agent, the original power of attorney or an express letter of authority from the partner concerned shall be produced for the inspection of the Registrar to prove authentication.

7. *Form of Register of firms statements under sections 58, 59 and 60, notices under sections 61, 62 and 63 and index to Register of Firms.*—(1) The "Register of Firms" to be maintained by the Registrar under section 59 of the Act shall be in Form I.

(2) The statement required under section 58 of the Act, for the registration of a firm shall be in Form II.

(3) The statement under section 60 of the Act, relating to changes in the Firm's name and the principal place of business, shall be in Form III.

(4) The notice under section 61 of the Act of closing and opening of branches shall be in Form IV.

(5) The notice under section 62 of the Act of changes in the names and addresses of partners shall be in Form V.

(6) The notice of alteration in the constitution of a firm and dissolution of a firm, under section 63(1) of the Act, shall be in Forms VI and VII respectively.

(7) The notice of withdrawal from, or remaining in a partnership to be given under section 63(2) of the Act by a minor on attaining majority shall be in Form VIII.

(8) An Index to the Register of Firms shall be maintained by the Registrar in Form IX.

8. *Examination of Documents received by the Registrar.*—On receipt of every statement, intimation, notice or any other document prescribed by the Act to be filed or registered in his office, the Registrar shall examine it, and if it is found to be defective or incomplete in any of the particulars required to be given therein, or not verified in the prescribed manner or in any way not in accordance with the provi-

sions of the Act or these rules, he shall return it to the person applying for filing or recording or to the firm concerned; and until proper rectification or completion is made, he shall not register or file the document in question nor shall he file or register the same unless and until the prescribed fees are paid to and received by him. The Registrar shall, pending the receipt of such fees, act in the same way as if no such document has been tendered for filing or recording or registration.

9. *Acknowledgement by the Registrar.* — The Registrar may acknowledge the receipt or filing of any document after necessary entries have been made in the Register of Firms.

10. *Enquiries and investigations by the Registrar in case of disputes.* — The Registrar may in his discretion institute such enquiries or make such investigation in respect of any matter as may in his opinion be necessary for the proper performance of his duties and administration of the Act, especially when a dispute arises amongst the several partners of a firm. The Registrar may in his discretion call upon any of the partners or all of them to produce any original deed, document or such other evidence as he thinks fit.

11. *Procedure on dispute.* — If any person wishes to dispute any entry in the Registrar, such person shall give the Registrar notice in writing that he disputes the said entry and the Registrar shall make a remark to that effect at the end of the existing entries and shall also make a remark in red ink in the column against the entry so disputed.

The Registrar shall then as soon as may be, send an intimation of such notice to all the partners of the firm concerned and if the person giving such notice is one of the partners to the remaining partners of such firm as the case may be.

12. *Amendment of Register.* — When an entry made in the Register is to be amended, the amendment shall be made by drawing a red line through the entry and making a new entry at the end of the existing entries. A reference in red ink to the serial number of the new entry shall be made against the amended entry.

13. *Office of the Registrar and Business hours.* — The office of the Registrar shall be situated in the towns of Panjim, Mapusa, Margao, Quepem, Bicholim and Daman in the office of the respective sub-registrars of assurances or Conservadores of Predial of the said places and at Diu in the office of the Assistant Public Prosecutor; and shall be open for business (Sundays and authorised holidays excepted) between the hours of 10 a. m. and 5.30 p. m.

14. *Inspection of Registers of Firms and documents and copies of entries.* — (1) Any person may inspect the documents and the "Register of Firms" kept by the Registrar on payment of fifty paise for the inspection of all documents relating to one firm:

Provided that he shall not have the right, while so inspecting to take copies or extracts from any of the documents or the Register.

(2) Any person may inspect the particulars of any firm in the Register of Firms kept by the Registrar

on payment of fifty paise in respect of each volume of the registers inspected:

Provided that he shall not have the right, while so inspecting to take copies or extracts from any of the document or the Register.

(3) Any person shall, on application to the Registrar be supplied on plain paper with a certified copy or extract of any of the documents or any of the entries or portion thereof in the "Register of Firms" on payment of fifty paise for each hundred words or part thereof.

15. *Destruction of documents.* — (1) No document filed in the office of the Registrar of Firms, under the Indian Partnership Act, 1932 shall be destroyed without the previous order of the Registrar in that behalf.

(2) The Registrar may order the destruction of any such document at the expiration of five years after the date of dissolution of the firm in respect of which such document was filed in his offices:

Provided that the Registrar shall give three months previous notice of such destructions by Notification in the Goa, Daman and Diu Official Gazette.

(3) After the expiration of the said three months, the Registrar shall, unless sufficient reason be shown to the contrary, cause all the documents of each firm named in the said notice to be destroyed, and shall record the fact of such destruction in the book kept for such purpose.

16. *Fees payable to the Registrar of firms.* — The fees payable to the Registrar under the Act shall be as follows:

Document or act in respect of which the fee is payable	Maximum fee
1. Statement under section 58.	Three rupees.
2. Statement under section 60.	One rupee.
3. Intimation under section 61.	One rupee.
4. Intimation under section 62.	One rupee.
5. Notice under section 63.	One rupee.
6. Application under section 64.	One rupee.
7. Inspection of the Register of Firms under sub-section (1) of Section 66.	Fifty paise for inspecting one volume of the Register.
8. Inspection of documents relating to a firm under sub-section (2) of section 66.	Fifty paise for the inspection of all documents relating to one firm.
9. Copies from the Register of firms.	Fifty paise for each hundred words or part thereof.

FORM No. I

Register of Firms

The Indian Partnership Act, 1932
(See Section 59 and Rule 7(1))

Number of the firm on the Register.

Important Notes.

Name of the firm.

Date of establishment.

Duration or date of registration.

Date of dissolution.

How dissolved.

Serial number of document	Date of filing or Registration	Description of documents filed	Names and addresses of the partners and the date of joining or changes therein							Place of business of the firm	Remarks	Signature of Registrar
			Name	Address (Permanent)	Date of joining	Date of changes	Principal place	Other place	Date of closing or opening			

Statement required for Registration of a Firm

The Indian Partnership Act, 1932
(See Section 58 and Rule 7(2))

Filing Fee Rs. 3.00

To, The Registrar of Firms.

We the undersigned partners of the firm ... do hereby submit the following statement, prescribed under section 58 of the Indian Partnership Act, 1932, for the purpose of registration of the said firm under section 59 of the Act.

- The name of the firm;
- The duration of the firm (with date of establishment):
- The principal place of business, with full address:
- The name of any other places where the firm carries on business with full address:
 -
 -
 -
- The names in full and permanent addresses of all the partners, and the date when each partner joined the firm: —

Names in full of partners	Permanent addresses	Dates of joining	Remarks

Verification

We, the partners of the firm ... do hereby declare that the foregoing statements are true to the best of our knowledge and belief.

Witness or Witnesses attesting the signature Signature of all the partners of the firm.

FORM No. III

Notice of alteration in the name of the firm or in the location of the principal place of business thereof

The Indian Partnership Act, 1932
(See Section 60 and Rule 7(3))

Filing Fee Re. 1-00

To, The Registrar of Firms.

Notice is hereby given, pursuant to section 60 of the Indian Partnership Act, 1932 of the following alteration in the name, location of the principal place of business * of the firm.

Date of alteration	Name of firm		Principal place of business	
	Former name	Present name	Former address	Present address

* Strike out the portion which does not apply.

Witness or Witnesses attesting the signature Signature of all the partners of the firm.

Verification

We, the partners of the firm ... do hereby declare that the foregoing statements are true to the best of our knowledge and belief.

Witness or Witnesses attesting the signature Signature of all the partner of the firm.

FORM No. IV

Notice of closing and opening of places of business (other than the principal place of business)

The Indian Partnership Act, 1932
(See Section 61 and rule 7(4))

Filing Fee Re. 1-00

To, The Registrar of Firms.

Notice is hereby given, pursuant to section 61 of the Indian Partnership Act, 1932, of the closing/opening of the following places of business of the firm.

(other than principal place of business)

Place of business closed	Date of closing	Place of business opened	Date of opening	Remarks

Date.

Signature of any partner of agent of the firm.

FORM No. V

Notice of changes in the names and addresses of the partners of firm

The Indian Partnership Act, 1932
(See Section 62 and rule 7(5))

Filing Fee Re. 1-00

To, The Registrar of Firms.

Notice is hereby given, pursuant to section 62 of the Indian Partnership Act, 1932 of changes in the names and addresses of the partners of the firm.

Former name and address	Present name and address	Remarks

Signature of any partner of agent of the firm.

FORM No. VI

Intimation for recording of changes of the constitution of a firm

The Indian Partnership Act, 1932
(See Section 63(1) and rule 7(6))

Filing Fee Re. 1-00

To, The Registrar of Firms.

Notice is hereby given, pursuant to sub-section (1) of section 63 of the Indian Partnership Act, 1932 of the following changes in the constitution of the firms.

Previous constitution of firm		Present constitution of firm		Remarks
Names of Partners	Permanent address	Names of Partners	Permanent address	

Signature of any partner or his agent.

FORM No. VII

Intimation for recording dissolution of a firm

The Indian Partnership Act, 1932
(See Section 63(1) and rule 7(6))

Filing Fee Re. 1-00

To, The Registrar of Firms.

Notice is hereby given, pursuant to sub-section (1) of section 63 of the Indian Partnership Act, 1932, that the firm ... was dissolved on ... 19...

Signature of any partner
or his agent

FORM No. VIII

Notice of withdrawal from, or remaining in, a partnership to be given under section 63(2) of the Act by a minor on attaining of majority

The Indian Partnership Act, 1932
(See Section 63(2) and rule 7(7))

Filing Fee Re. 1-00

To, The Registrar of Firms.

Notice is hereby given, pursuant to sub-section (2) of section 63 of the Indian Partnership Act, 1932 that /the undersigned a minor who was admitted to the benefits of partnership in the firm has now attained majority and elects to become/not to become a partner of the said firm.

Signature of the partner concerned
or his specially authorised agent

FORM No. IX

Index to the Register of Firms

The Indian Partnership Act, 1932
(See rule 7(8))

Name of firm	Date of registration	Number of firm in the register	Volume of Register and Folio
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By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

B. S. Subbanna, Under Secretary (Law).

Panaji, 10th October, 1978.

Notification

LD/5210/78

The following Notification received from the Central Board for Prevention and Control of Water Pollution New Delhi is hereby republished for general information of the public.

B. S. Subbanna, Under Secretary (Law).

Panaji, 5th October, 1978.

Central Board for Prevention and Control of Water Pollution

New Delhi-110001, the 27th May 1978

G.S.R. F. 14/1/78 A&R. — In exercise of the powers conferred by the Water (Prevention and Control of Pollution) Act, 1974 (hereinafter called the Act), the Central Board for Prevention and

Control of Water Pollution hereby empowers the following officers of the Government of Goa, Daman and Diu to exercise on behalf of the Central Board all powers under sub-section (1) of section 20, section 21 and sub-section (1) of section 23 of the Act.

1. Dr. Jacinto Estibeiro — Deputy Director (Public Health), Directorate of Health Services, Panaji, Goa.
2. Shri C. V. Dhume — Senior Inspector of Factories & Boilers, I.T.I. Building, Margao, Goa.
3. Shri R. G. Deo — Executive Engineer, Public Works Department, Panaji, Goa.
4. Shri Satyanarayan Ganta — Labour Inspector, (Technical), Inspectorate of Factories & Boilers, Margao.
5. Shri V. A. Chodenekar — Scientific Officer, Directorate of Health Services, Panaji, Goa.

B. V. ROTKAR
Member-Secretary

Notification

LD/5306/78

The following Central Act namely: — The maintenance of Internal Security (Repeal) Act 1978 (No. 27 of 1978) which was recently passed by the Parliament and assented to by the President of India on 3rd August 1978 and published in the Gazette of India, Part II, Section I dated 3rd August 1978 is hereby republished for general information of the public.

B. S. Subbanna, Under Secretary (Law).

Panaji, 5th October, 1978.

The Maintenance of Internal Security (Repeal) Act, 1978

AN

ACT

to repeal the Maintenance of Internal Security Act, 1971.

Be it enacted by Parliament in the Twenty-ninth Year of the Republic of India as follows: —

1. *Short title.* — This Act may be called the Maintenance of Internal Security (Repeal) Act, 1978.

2. *Repeal of Act 26 of 1971.* — The Maintenance of Internal Security Act, 1971, is hereby repealed.

Notification

LD/5302/78

The following Central Acts namely: 1. The Appropriation (No. 4) Act, 1978 (35 of 1978). 2. The Tobacco Board (Amendment) Act, 1978 (36 of 1978) which were recently passed by the Parliament and assented to by the President of India on 30th August 1978 and published in the Gazette of India, Part II, Section I dated 30th August 1978

are hereby republished for general information of the public.

B. S. Subbanna, Under Secretary (Law).

Panaji, 5th October, 1978.

The Appropriation (No. 4) Act, 1978

AN ACT

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1978-79.

Be it enacted by Parliament in the Twenty-ninth Year of the Republic of India as follows:—

THE SCHEDULE

(See sections 2 and 3)

No. of Vote	Services and purposes	Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
1	2	3		
		Rs.	Rs.	Rs.
12	Foreign Trade and Export Production	Revenue 40,00,00,000	14,000	40,00,14,000
		Capital 1,50,00,000	...	1,50,00,000
18	Capital Outlay on Posts and Telegraphs	Capital 2,000	...	2,000
29	Power Development	Capital 8,05,00,000	...	8,05,00,000
31	Ministry of External Affairs	Revenue 1,97,04,000	...	1,97,04,000
41	Transfers to State and Union Territory Governments	Capital ...	430,00,00,000	430,00,00,000
42	Other Expenditure of the Ministry of Finance	Capital 33,94,19,000	...	33,94,19,000
59	Industries	Revenue 1,46,63,000	...	1,46,63,000
		Capital 1,68,80,000	...	1,68,80,000
60	Village and Small Industries	Revenue 15,00,00,000	...	15,00,00,000
61	Textiles, Handloom and Handicrafts	Revenue 40,15,000	...	40,15,000
		Capital 7,66,00,000	2,20,00,000	9,86,00,000
63	Information and Publicity	Revenue 3,50,000	...	3,50,000
71	Chemicals and Fertilizers Industries	Revenue 3,00,000	...	3,00,000
		Capital 1,000	...	1,000
78	Road and Inland Water Transport	Capital 2,00,00,000	...	2,00,00,000
79	Department of Steel	Revenue 3,000	...	3,000
		Capital 5,21,26,000	...	5,21,26,000
	Total	118,95,63,000	432,20,14,000	551,15,77,000

The Tobacco Board (Amendment) Act, 1978

AN ACT

to amend the Tobacco Board Act, 1975.

Be it enacted by Parliament in the Twenty-ninth Year of the Republic of India as follows:—

1. *Short title.*— This Act may be called the Tobacco Board (Amendment) Act, 1978.

2. *Amendment of section 4.*— In section 4 of the Tobacco Board Act, 1975 4 of 1975

1. *Short title.*— This Act may be called the Appropriation (No. 4) Act, 1978.

2. *Issue of Rs. 551,15,77,000 out of the Consolidated Fund of India for the year 1978-79.*— From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of five hundred and fifty-one crores, fifteen lakhs and seventy-seven thousand rupees towards defraying the several charges which will come in course of payment during the financial year 1978-79, in respect of the services specified in column 2 of the Schedule.

3. *Appropriation.*— The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

(hereinafter referred to as the principal Act),—

(a) for sub-section (3), the following sub-section shall be substituted, namely:—

“(3) The head office of the Board shall be at Guntur in the State of Andhra Pradesh and the Board may, with the previous approval of the Central Government, establish offices or agencies at other places in or outside India.”;

(b) in sub-section (4),—

(A) in clause (c),—

(i) for the word “seven”, the word “eight” shall be substituted;

(ii) in sub-clause (vi), the word "and" occurring at the end shall be omitted;

(iii) after sub-clause (vi), the following sub-clause shall be inserted, namely:—

"(via) the Government of Gujarat; and";

(B) in clause (d), for the words "other than the States of Andhra Pradesh and Karnataka", the words "other than the States of Andhra Pradesh, Gujarat and Karnataka" shall be substituted.

3. *Amendment of section 8.*—In section 8 of the principal Act, in sub-section (2), after clause (c), the following clause shall be inserted, namely:—

"(cc) establishment by the Board of auction platforms, with the previous approval of the Central Government, for the sale of virginia tobacco by registered growers or curers, and functioning of the Board as an auctioneer at auction platforms established by or registered with it subject to such conditions as may be specified by the Central Government;"

4. *Amendment of section 13.*—In section 13 of the principal Act, the words "or established by the Board under this Act" shall be inserted at the end.

5. *Insertion of new section 14A.*—After section 14 of the principal Act, the following section shall be inserted, namely:—

"14A. *Power to levy fees.*—(1) Where virginia tobacco is sold at any auction platform established by the Board under this Act, it shall be competent for the Board or for any officer of the Board authorised by it in this behalf to levy fees, for the services rendered by the Board in relation to such sale, at such rate not exceeding two per cent. of the value of such tobacco as the Central Government may, from time to time, by notification in the Official Gazette, specify.

(2) The fees levied under sub-section (1) shall be collected by the Board or such officer, equally from the seller of the virginia tobacco and the purchaser of such tobacco, in such manner as may be prescribed."

6. *Amendment of section 32.*—In section 32 of the principal Act, in sub-section (2), after clause (h), the following clause shall be inserted, namely:—

"(hh) the manner of collection of fees under sub-section (2) of section 14A;"

7. *Amendment of Act 26 of 1975.*—In the Tobacco Cess Act, 1975,—

(a) in section 2, in sub-section (1),—

(i) clauses (a) and (b) shall be re-lettered as clauses (b) and (c) respectively and before clause (b) as so re-lettered, the following clause shall be inserted, namely:—

"(a) "auction platform" means an auction platform registered with the Board in accordance with the rules made under the Tobacco Board Act, 1975 or established by the Board under that Act;"

(ii) clause (c) shall be omitted;

(b) in section 3, for the words "a registered auction platform" wherever they occur the words "an auction platform" shall be substituted.

Notification

LD/3956/78

The following Notifications received from the Government of India, Ministry of Labour New Delhi are hereby republished for general information of the public.

B. S. Subbanna, Under Secretary (Law).

Panaji, 3rd October, 1978.

GOVERNMENT OF INDIA

(BHARAT SARKAR)

MINISTRY OF LABOUR

(SHRAM MANTRALAYA)

Dated New Delhi, the 2nd June, 1978

Notification

S. O.—In exercise of the powers conferred by sub-section (2) of section 26 of the Minimum Wages Act, 1948 (11 of 1948), the Central Government hereby directs that for a period of five years from the date of publication of this notification, in the Official Gazette, the provisions of sections 12, 13, 14 and 18 of the said Act shall not apply to railway servants who are on time scales of pay approved by the Central Government and governed by the provisions of Chapter VIA of the Indian Railways Act, 1890 (9 of 1890) and the Indian Railways Establishment Code and who are employed in any scheduled employment in Railways.

Sd/-

HANS RAJ CHHABRA

Deputy Secretary

[No. S-32014(4)/77-WC(MW)]

New Delhi, dated the 31st May 1978

Notification

S. O.—In exercise of the powers conferred by sub-section (2) of section 26 of the Minimum Wages Act, 1948 (11 of 1948), the Central Government, having regard to the special regulations that have been framed in respect of the service conditions of employees working in vessels, shore stations and survey parties under the Calcutta Port Commissioner (hereinafter referred to as the Port Commissioner), hereby directs that, the provisions of sections 13 and 14 of the said Act shall not apply to the said employees for a period of two years with effect from the date of publication of this notification in the Official Gazette, subject to the following conditions, namely:—

(i) The Port Commissioner shall publish the said regulations in a pamphlet form in the

English language and in the language or the languages understood by the majority of the employees;

(ii) before making any amendments to the aforesaid regulations, the port Commissioners shall inform the employees concerned, by notice to be put up on the notice board in the Office of the Port Commissioner of the proposed amendment and shall consider any suggestions that may be made in respect thereof by persons likely to be affected thereby within twenty days of such notice and

(iii) a copy of the pamphlet referred to in condition (i) above and a copy of every amendment thereto shall be applied to each employee concerned.

Sd/-

HANS RAJ CHHABRA

Deputy Secretary

[No. S-32014(7)/77-WC(MW)]

Dated New Delhi, the 7th June, 1978

Notification

G. S. R.—The following draft of certain rules further to amend the Minimum Wages (Central) Rules, 1950, which the Central Government proposes to make, in exercise of the powers conferred by section 30 of the Minimum Wages Act, 1948 (II of 1948), is published as required by sub-section (1) of that section, for the information of all persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration on or after the expiry of a period of four months from the date of publication of the notification in the Official Gazette.

Any objections or suggestions which may be received from any person with regard to the said draft before the expiry of the period so specified will be considered by the Central Government.

DRAFT RULES

1. These rules may be called the Minimum Wages (Central) (Amendment) Rules, 1978.

2. In the Minimum Wages (Central), Rules, 1950,

(i) in rule 23, sub-rule (5) shall be omitted and sub-rule (6) shall be re-numbered as sub-rule (5)

(ii) For sub-rule (1) of Rule 25, the following sub-rule shall be substituted, namely:—

“Extra Wages for overtime.— (1) When a worker work in an employment for more than nine hours on any day or for more than forty-eight hours in any week, he shall, in respect of overtime work, be entitled to wages at double the ordinary rate of wages.

Explanation.— The expression “ordinary rate of wages” means the basic wage plus such allowances including the cash equivalent of the advantages accruing through the concessional sale to the person employed of foodgrains and other

articles as the person employed is for the time being entitled to put but does not include a bonus.

Sd/-

HANS RAJ CHHABRA

Deputy Secretary

[S-32025(17)/75-WC(MW)]

New Delhi, the 9th June, 1978

Notification

G. S. R.—Whereas the draft of certain rules further to amend the Contract Labour (Regulation and Abolition) Central Rules, 1971, were published as required by sub-section (1) of section 35 of the Contract Labour (Regulation and Abolition) Act, 1970 (37 of 1970) at pages 2981 and 2982 of the Gazette of India Part II Section 3, Sub-section (ii), dated the 4th September, 1976 under the notification of the Government of India in the Ministry of Labour No. G. S. R. 3241 dated the 13th August, 1976 inviting objections or suggestions from all persons likely to be affected thereby, before the expiry of a period of forty five days from the date of publication of the said notification in the Official Gazette;

And whereas the said Gazette was made available to the public on the 4th September, 1976;

And whereas the objections and suggestions received from the public on the said draft have been considered by the Central Government;

Now, therefore, in exercise of the powers conferred by section 35 of the said Act, the Central Government hereby makes the following rules further to amend the Contract Labour (Regulation and Abolition) Central Rules, 1971, namely:

1. (1) These rules may be called the Contract Labour (Regulation and Abolition) Central (Amendment) Rules, 1978.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Contract Labour (Regulation and Abolition) Central Rules, 1971,—

(a) in rule 24—

(i) after sub-rule (1), the following sub-rule shall be inserted, namely:—

“(IA) “Where the applicant for the licence was holding a licence in regard to another work and that licences had expired, the licensing Officer, if he is of the view that any amount out of the security deposited in respect of that licence is to be directed to be refunded to the applicant under rule 31, may, on an application made for that purpose in Form VA by the applicant adjust the amount so to be refunded towards the security required to be deposited in respect of the application for the new licence and the applicant need deposit, in such a case, only the balance amount, if any, after making such adjustment”.

(ii) in sub-rule (2) for the words 'The amount of security deposit' the words 'The amount of security, or the balance amount, requires to be deposited under sub-rule (1) or, as the case may be, under sub-rule (IA) shall be substituted;

(b) in rule 25, in sub-rule (2), after clause (vii), the following clause shall be inserted, namely:—

"(viii) no female contract labour shall be employed by any contractor before 6.00 a.m. or after 7.00 p.m. Provided that this clause shall not apply to the employment of women in pithead baths, creches and canteens and as to mid wives and nurses in hospitals and dispensaries."

(c) in rule 73, for the words 'Wage-Cum-Muster Roll', the words 'Register of Wages-Cum-Muster Roll' shall be substituted;

(d) in rule 78, for sub-rules (1) and (2), the following sub-rules shall be substituted, namely:—

"(1) (a) Every Contractor shall in respect of each work on which he engages Contract labour, —

(i) maintain a Muster Roll and a Register of Wages in Form XVI and Form XVII respectively;

Provided that a combined Register of Wage-cum-Muster Roll in Form XVIII shall be maintained by the contractor where the wage period is a fortnight or less;

(ii) maintain a Register of Deductions for damage or loss, Register of Fines and Register of Advances in Form XX, Form XXI and Form XXII respectively;

(iii) maintain a Register of Overtime in Form XXIII recording therein the number of hours of, and wages paid for, overtime work, if any.

(b) Every contractor shall, where the wage period is one week or more, issue wage slips in Form XIX, to the workmen at least a day prior to the disbursement of wages;

(c) Every contractor shall obtain the signature or thumb-impression of the worker concerned against the entries relating to him on the Register of wages or Muster Roll-cum-wages Register, as the case may be, and the entries shall be authenticated by the initials of the contractor or his authorised representative, and shall also be duly certified by the authorised representative of the principal employer in the manner provided in rule 73.

(d) In respect of establishments which are governed by the Payment of Wages Act, 1936 (4 of 1936) and the rules made thereunder, or the Minimum Wages Act, 1948 (11 of 1948) or the rules made thereunder, the following registers and records required to be maintained by a contractor as employer shall be deemed to be registered and records to be maintained by the contractor under these rules, namely:—

- (a) Muster Roll;
- (b) Register of Wages;
- (c) Register of Deductions;
- (d) Register of Overtime;

(e) Register of Fines;

(f) Register of Advances;

(g) Wage slip";

(e) in Form IV for item 10, the following items shall be substituted, namely:—

"10. Particulars of security deposit, if any, requested to be adjusted, including Treasury Receipt number and date.

"The amount of security or balance, if any, after adjustment of amount to be refunded under rule 31, if any, deposited with Treasury Receipt number and date."

(f) after Form V, the following Form shall be inserted, namely:—

"FORM VA

(See Rule 24 (IA)

Application for adjustment of Security Deposit

Name and address of the Contractor	No. and date of licence	Date of expiry of previous licence
(1)	(2)	(3)
Whether the licence of the contractor was suspended or revoked	No. and date of the treasury receipt of security deposit in respect of the previous licence	Amount of previous security deposit
(4)	(5)	(6)
No. and date of treasury receipt of the balance security deposit, if any, required on the fresh contract	No. and date of certificate of registration of the establishment in relation to which the new licence is applied for	Name and address of the principal employer
(7)	(8)	(9)
Particulars of fresh contract		Remarks
(10)		(11)

Place:

Date:

Signature of applicant";

(g) in Form VI

(i) for the words "The Licence shall remain in force till—" the following shall be inserted, namely:—

"2. This licence is for doing the work of (nature of work to be indicated) in the establishment of— (name of principal employer to be indicated) at— (place of work to be indicated).

3. The licence shall remain in force till— (date to be indicated)";

(ii) in the Annexure, after item 8, the following item shall be inserted, namely:—

"9. A copy of the licence shall be displayed prominently at the premises where the contract work is being carried on";

(h) In Form XI in the Annexure, after item 6, the following item shall be inserted namely:—

"7. A copy of the licence shall be displayed prominently at the premises where the contract work is being carried on";

(i) in Forms XVI, XVII and XVIII, for the brackets, words, figures and letter "(see rule 78(2)(a))", the brackets, words, figures and letter (see rule 78(1)(a)(i)) shall be substituted;

(j) in Form XIX, for the brackets, words, figures and letter "(see rule 78(2)(b))" the brackets, words, figures and letter "(see rule 78(1)(b))" shall be substituted;

(k) in Form XX, XXI and XXII, for the brackets, words, figures and letter "(see rule 78(2)(d))" the brackets, words, figures and letter "(see rule 78(1)(a)(ii))" shall be substituted;

(l) in Form XXIII, for the brackets, words, figures and letter "(see rule 78(2)(e))" the brackets, words, figures and letter "(see rule 78(1)(a)(iii))" shall be substituted.

Sd/-

(K. D. GANDHI).

Under Secretary

(S-16011(N/75-LW)

Dated New Delhi the 25th April, 1978

Notification

G. S. R. 602. In exercise of the powers conferred by Section 5 read with sub-section (1) of section 7 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government hereby frames the following Scheme further to amend the Employees' Provident Funds Scheme, 1952, namely:—

1. (i) This Scheme may be called the Employees' Provident Funds (Amendment) Scheme, 1978.

(ii) It shall come into force on the date of its publication in the Official Gazette.

2. In the Employees' Provident Funds Scheme, 1952, in sub-paragraph (1) of paragraph 68L for the words "rupees three hundred" the words 'rupees five hundred' shall be substituted.

No. S-70012(6)/77-PF-II

Sd/-

(S. S. SAHASRANAMAN)

Deputy Secretary

Dated, New Delhi, the 22nd August, 1978

Notification

S. O. — In pursuance of clause (a) of sub-section (3A) of section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government hereby directs that the employers in relation to an establishment or any person or class of persons exempted under sub-section (2A) or sub-section (3A) of section 17 of the said Act, shall pay to the Insurance Fund, Inspection charges at the rate of zero point zero two percent (0.02%) of the aggregate of the basic wages, dearness allowance (including the cash value of any food concession) and retaining allowance, if any, for the time being payable to the employees of the establishment or receivable by the persons or class of persons, as the case may be, in respect of which contribution would have been payable but for such exemption, within fifteen days of the close of every month.

(No. S. 35014(43)/76-PF-II)

Sd/-

(S. S. SAHASRANAMAN)

Deputy Secretary